

224507

LAW OFFICE  
**THOMAS F. MCFARLAND, P.C.**  
208 SOUTH LASALLE STREET - SUITE 1890  
CHICAGO, ILLINOIS 60604-1112  
TELEPHONE: (312) 236-0204  
FAX (312) 201-9695  
*mcfarland@aol.com*

THOMAS F. MCFARLAND

February 9, 2009

By e-filing

Anne K. Quinlan, Esq.  
Acting Secretary  
Surface Transportation Board  
395 E Street, S W , Suite 100  
Washington, DC 20024

Re Finance Docket No. 35209, *Salem Industrial Railway, Inc – Change In Operators Exemption – Rail Line of Salem County, New Jersey between Sweedsboro and Salem in Salem County, NJ*

Dear Ms Quinlan:

Salem Industrial Railway, Inc (SIR) hereby seeks leave to withdraw the Verified Notice of Exemption that it filed in the above proceeding on January 27, 2009. Withdrawal is necessitated because it turns out that SIR does not currently have an underlying contractual right to operate the rail line. SIR would file a new Verified Notice of Exemption if it were to obtain that right.

Very truly yours,

*Tom McFarland*

Thomas F. McFarland  
*Attorney for Applicant,*  
*Salem Industrial Railway, Inc*

*TMcf kl wp8 0\1347\efstb1*

cc Mr. Mark Ward  
Mr. Steve Morris  
Mr. Michael Foglietta  
Elaine Voyles, Esq.  
Mr. Mike Chapman  
Mr. Michael Allen  
Southern Railroad Company of New Jersey  
2930 Richmond Street, Philadelphia, PA 19134